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SALT TWO
SESSION I
A-47

MEMORANDUM OF CONVERSATION
U.S. SALT DELEGATION
GENEVA, SWITZERLAND

DATE: December 1, 1972

TIME: 3:00 - 5:30 p.m.

PLACE: Soviet Mission, Geneva

SUBJECT: Second Meeting of "Joint SCC Working Group"

PARTICIPANTS: US

USSR

Mr. S.N. Graybeal
Mr. J.P. Shaw
Mr. R. Earle
Col C.G. FitzGerald
LTC F. DeSimone
Mr. D. Arensburger
(Interpreter)

Mr. V. V. Smolin
Col V.P. Starodubov
Mr. P.N. Yevseyev
Mr. Y.N. Kochetkov
(Interpreter)

Smolin chairing the meeting, offered the floor to Graybeal.

Graybeal suggested the Soviet side continue its questions on the U.S. Draft Document.

Smolin recalled that Graybeal had said that paragraph II of the new U.S. Draft was totally based on the original Soviet language. There were, however, some changes in regard to the references to Articles XIII of the ABM Treaty, Article VI of the IA, and Article 7 of the Measures Agreement. He asked why the new Draft used "consistent with" in regard to the latter.

Graybeal explained that when the Measures Agreement was concluded there had been no discussions between the Sides on the SCC and the Agreement contained no reference to an SCC. Therefore, the words "consistent with" were more correct than "in accordance with." He did not believe there was any difference in intent between the original Soviet wording "in accordance with Article 7 of the Measures Agreement."

Smolin said this clarification was useful. He turned to paragraph V. He believed the main idea of the U.S. Draft coincided with both paragraphs of the Soviet Article V. There were, however, two changes: (1) "communications" was substituted for "requests";

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(2) the U.S. Draft provided for "oral", as well as "written" communications. He asked for clarification on the changes and whether there is any difference between "information" and "communications."

Graybeal believed there was no problem of substance involved. "Communications" is more comprehensive and reflects what could transpire. It means that a Side may not only make requests and provide answers, but also provide information. The reason why "oral" was added was related to the intervals between meetings. This would provide flexibility and permit each Commissioner to communicate directly with each other--somewhat as Ambassador Smith and Minister Semenov do--and ask for or provide information orally. It is intended to broaden the opportunity or scope of SCC dealings.

Shaw added the thought that this would permit Soviet Embassy representatives to approach State Department informally between meetings.

Smolin asked whether "communications" encompasses "requests" and "information."

Graybeal said yes.

Smolin suggested omission of "written or oral" and merely state "communications."

Graybeal didn't think there was a substantive difference.

Smolin asked why paragraph VIII provided for meetings "in Geneva, and at such other places..."

Graybeal recalled that original U.S. Draft did not mention a place. Then, in view of Soviet questions, we specified "Geneva", where both sides have good support facilities. He also felt hands of SCC should not be tied. If Soviet side preferred Geneva only,

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we could consider it. Alternatively, the single sentence could be divided into two for clarification.

Smolin turned to U.S. paragraph IV and asked whether there is a difference in the nature of "periodic" and "special" meetings, why differentiate between them. The word "special" could be related to "extraordinary" and suggest the Agreements may have been broken.

Graybeal said it was important to differentiate between the two types of meetings. The word "periodic" meant that a number of meetings would be held each year which would be no less than an agreed number. The number might be two or more depending upon the SCC workload. The word "special" covered the situation where a side saw a need to raise a subject or ask a question which might arise between meetings. The intent was to give the Commissioners the opportunity to ask for and hold additional meetings beyond those scheduled.

Smolin asked whether this meant the meetings would not be of a different character, i.e., whether the difference is in the number and not the nature of the meetings. He said the word "special" in Russian has a somewhat different connotation than it has in English.

Graybeal said the difference was in the number and asked whether "additional" would help.

Smolin thought this would help their understanding of the U.S. intent. He then asked how Graybeal visualized the procedures involved in establishing the intervals between meetings. Would it mean fixed intervals?

Graybeal said the intent was to establish that the SCC would hold a certain number of meetings each year and no less than the number. The Commissioners would establish the intervals between meetings. They could be fixed or could vary.

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Smolin said that, if this were so, the Soviet language of paragraph 1 of their Article III, "who make arrangements for the meetings," better expressed this intent. The sides agree the Chairmen would set the intervals between meetings.

Graybeal repeated the three U.S. objectives-- (1) there would be periodic SCC meetings; (2) there would be no less than "X" meetings a year; (3) additional meetings could be requested, given reasonable notice, and would be convened promptly. The Soviet Draft provided only for the third objective and not the first two.

Smolin said this clarified matters.

Starodubov asked how the word "promptly" was understood.

Graybeal said this means as soon as reasonably feasible for either side. It connotes the intent of both sides to meet within a reasonable period of time, if either sees the need for requesting a special meeting.

Smolin asked whether this meant the sides will decide the date by mutual agreement.

Graybeal said the U.S. Draft added "reasonable notice" and "promptly" to the Soviet Draft. This connotes intent to meet as soon as practical. The same word is used in Article XIII of the Treaty. The importance of the three Agreements demands that the sides get together to resolve and clarify questions within a reasonable period of time.

Smolin said the USSR proposal provides for the Chairmen to agree on a meeting date. Given agreement on a date, this means that all factors, including the nature of the questions to be discussed, would be taken into account. The Soviet formulation provides for effective functioning of the SCC. He did, however, have a better understanding of what the U.S. has in mind.

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Graybeal added that "promptly" applies only to special meetings which would be requested only when a side has an important matter to raise which cannot await the next regular meeting. This would avoid misunderstandings and not jeopardize the viability of the three Agreements.

Smolin said the Soviet side believes it important to incorporate in the basic document the fact that the SCC could establish Special Working Groups.

Graybeal said this was not necessary since the SCC could set its own procedures and he saw no need for this provision in the basic document.

Smolin cited the Soviet Article IV reference to "Minutes." Could this be included in the "Regulations"?

Graybeal said this was more appropriate for operating procedures. The Commissioners could decide the questions to be put in the "Minutes."

Smolin asked whether this meant one side could not include a question in the "Minutes" without agreement by the other side.

Graybeal agreed.

There then followed a lengthy exchange on whether the next meeting could be devoted to a discussion of SCC operating procedures (the Soviet preference). Smolin finally agreed to Graybeal's insistence that the Soviet side submit a new language for the basic document so that we could see how to proceed next in order to accomplish the task of establishing the SCC. Graybeal said that, on this basis, he would be prepared to begin informal discussions of possible SCC operating procedures.

The next meeting was set for December 4 at the U. S. Mission at 3:00 p.m.

Drafted by: Col C. G. FitzGerald:sc Approved by: S. N. Graybeal

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